

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re: CITY OF DETROIT, MICHIGAN

Chapter 9

Debtor.

Case No. 13-53846

Honorable Steven W. Rhodes

MOTION FOR REFUND OF DUPLICATE FILING FEES

Now comes Eddie Adams, a creditor in this case, by and through his attorneys Garris, Garris, Garris & Garris, P.C., and moves this Court for entry of an Order Granting Relief from the Automatic Stay, and states as follows:

1. That creditor Eddie Adams filed a Motion for Relief from the Automatic Stay to Allow State Court and Federal Court Personal Injury Actions to Continue, and Notice on September 12, 2014 (Docket nos. 7449 and 7451).
2. That a filing fee of \$176.00 was paid at that time.
3. That the documents were filed incorrectly due to user error as Creditor's attorney inadvertently added herself as attorney for Debtor City of Detroit, instead of Creditor's attorney when she added him as a creditor.
4. That a Notice of Withdrawal of Pleadings was filed on September 15, 2014 (Docket No. 7497), withdrawing Docket Nos. 7449 and 7451.
5. That creditor again filed his Motion from Relief of Stay on September 15, 2014 (Docket No. 7449).
6. That no fee was paid at that time.

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7. That the CMF help desk informed Creditor's attorney that the Motion should have been filed using the "Amended/Corrected/Supplemental Motion" action as opposed to simply adding "Corrected" to the Motion when filing in ECF.

8. That a notification of fees due was received on September 17, 2014.

9. That another \$176.00 motion fee was paid by Creditor's attorney on September 18, 2014.

10. That Creditor's attorney was instructed to file this motion to receive a refund of duplicate filing fees for the same Motion.

11. A proposed Order granting relief requested is attached as **Exhibit 1**.

WHEREFORE, Creditor Eddie Adams moves this Court for entry of an Order To Refund Duplicate Filing Fees in the amount of \$176.00.

September 18, 2014

/s/ Jacalen J. Garris

Jacalen J. Garris (P43576)

Michael J. Garris (P30185)

GARRIS, GARRIS, GARRIS & GARRIS, P.C.

Attorneys for Creditor Eddie Adams

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EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re: CITY OF DETROIT, MICHIGAN,

Debtor

Chapter 9

Case No. 13-53846

Honorable Steven W. Rhodes

ORDER FOR REFUND OF DUPLICATE FILING FEES

This matter comes before the Court on Creditor Eddie Adams' Motion For Refund of Duplicate Filing Fees.

IT IS HEREBY ORDERED:

Creditor Eddie Adams' attorneys, Garris, Garris, Garris & Garris, P.C. shall be granted a refund in the amount of \$176.00.

DATE: _____

By: _____
Steven W. Rhodes
United States Bankruptcy Judge

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Mjgsec/adams/ bankruptcy/ motion stay lift/ motion to refund fees 9-18-14